

**SAN FERNANDO CITY COUNCIL
MINUTES**

**JUNE 17, 2013 – 6:00 P.M.
REGULAR MEETING**

**City Hall Council Chambers
117 Macneil Street
San Fernando, CA 91340**

CALL TO ORDER/ROLL CALL

Mayor Antonio Lopez called the meeting to order at 6:00 p.m.

Present:

Council: Mayor Antonio Lopez, Mayor Pro Tem Sylvia Ballin, and Councilmembers Jesse H. Avila, Joel Fajardo, and Robert C. Gonzales

Staff: Interim City Administrator Don Penman, City Attorney Rick R. Olivarez, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Mayor Lopez

PRESENTATION

The following presentation was made:

- A) CESAR CHÁVEZ LEARNING ACADEMIES BASEBALL TEAM – 2013 CIF CITY SECTION DIVISION II CHAMPIONSHIP RUNNER-UP

APPROVAL OF AGENDA

Motion by Councilmember Avila, seconded by Councilmember Gonzales, to approve the agenda. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

The following individuals talked about their concerns regarding drifting secondhand tobacco smoke in multi-unit housing:

Sindee Remenih
Ricardo Torres
Esther Schiller

CONSENT CALENDAR

Motion by Councilmember Avila, seconded by Mayor Pro Tem Ballin, to approve the Consent Calendar Items:

- 1) APPROVAL OF MINUTES OF:
 - a) JUNE 3, 2013 – REGULAR MEETING
 - b) JUNE 3, 2013 – SPECIAL MEETING
- 2) APPROVAL OF WARRANT REGISTER NO. 13-062
- 3) NOTICE OF COMPLETION – VARIABLE FREQUENCY DRIVES AT THE POOL FACILITY
- 4) NOTICE OF COMPLETION – SLURRY SEAL PROJECT

By consensus, the motion carried.

PUBLIC HEARING

- 5) FISCAL YEAR 2013-14 CITY BUDGET

Mayor Lopez declared the Public Hearing open.

Interim City Administrator Penman presented the staff report and replied to questions from Councilmembers.

Mayor Lopez called for public testimony in favor or opposition.

Linda Campanella Jauron (resident) thanked Interim City Administrator Penman for all the work he has put into this and into Measure A.

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Mary Mendoza (resident) said she owns apartments and has to pay for a business license and others should be required to do the same. Interim City Administrator Penman agreed and stated that one of the City's goals is to do a better job in collecting fees.

There being no further comments, Mayor Lopez asked if there were any objections to keeping the Public Hearing open until July 1, 2013.

By consensus, Councilmembers agreed.

6) FISCAL YEAR 2013-2014 LANDSCAPING AND LIGHTING ASSESSMENT
DISTRICT PUBLIC HEARING AND CONFIRMATION OF ASSESSMENT

Public Works Director Ron Ruiz presented the staff report.

Mayor Lopez declared the Public Hearing open.

City Clerk Chávez announced that this was the time and place for the Hearing and that the notice had been legally posted.

Motion by Councilmember Avila, seconded by Councilmember Gonzales, to receive and file the affidavit. By consensus, the motion carried.

City Clerk Chávez announced that no written protests were received.

Mayor Lopez called for public testimony either in favor or opposition.

There being no comments, Mayor Lopez closed the public comment portion of the Hearing.

Motion by Councilmember Avila, seconded by Councilmember Gonzales, to:

- a. Adopt Resolution No. 7537 ordering the continued maintenance of the City's streetlights and confirming the annual assessment; and
- b. Adopt Resolution No. 7538 approving the Final Engineer's Report for the Fiscal Year 2013-2014 Landscaping and Lighting Assessment District.

By consensus, the motion carried.

NEW BUSINESS

7) APPROVAL OF AGREEMENT FOR PROFESSIONAL SERVICES (CONTRACT NO. 1712) WITH BOB MURRAY & ASSOCIATES FOR CITY ADMINISTRATOR RECRUITMENT

Personnel Manager Michael Okafor presented the staff report. Interim City Administrator Penman and City Attorney Olivarez replied to questions from Councilmembers.

Motion by Mayor Pro Tem Ballin, seconded by Councilmember Fajardo, to:

- a. Approve the selection of Bob Murray & Associates to conduct the recruitment for a new City Administrator or City Manager;
- b. Approve an Agreement for Professional Services (Contract No. 1712) with Bob Murray & Associates to conduct the recruitment for a new City Administrator or City Manager; and
- c. Authorize the Mayor to execute the Agreement.

By consensus, the motion carried.

8) **BID RESULTS AND AWARD OF CONSTRUCTION CONTRACT (CONTRACT NO. 1713) FOR WATER MAINS INSTALLATION PROJECT NO. 7581, PLAN NO. 713**

Public Works Director Ruiz presented the staff report.

Motion by Mayor Pro Tem Ballin, seconded by Councilmember Avila, to:

- a. Accept the lowest responsive bid from Vasily Company, Inc. for construction of Water Mains Installation Project No. 7581, Plan No. 716;
- b. Approve a Construction Contract (Contract No. 1713) with Vasily Company, Inc., for Water Mains Installation Project No. 7581, Plan No. 716, for an amount not to exceed \$405,495; and
- c. Authorize the City Administrator to execute the Contract and approve change orders not to exceed 9% of contract amount.

By consensus, the motion carried.

9) **APPROVAL OF SANITARY SEWER MANAGEMENT PLAN (SSMP)**

Public Works Director Ruiz presented the staff report and replied to questions from Councilmembers. He stated that the SSMP is a living document that will be revised and brought back to City Council every number of years.

Motion by Councilmember Fajardo, seconded by Councilmember Avila, to approve the completed Sewer System Management Plan as required by the State Water Resources Control Board Order No. 2006-0003. By consensus, the motion carried.

CONTINUED BUSINESS

- 10) ADOPTION OF RESOLUTIONS PERTAINING TO THE SPECIAL MUNICIPAL ELECTION AND CONFIRMATION/FINAL ADOPTION OF AN ORDINANCE ENACTING A TEMPORARY HALF CENT TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION PURSUANT TO REVENUE AND TAXATION CODE

Interim City Administrator Penman presented the staff report.

Motion by Councilmember Avila, seconded by Mayor Pro Tem Ballin, to adopt Resolution No. 7539 declaring the results of the June 4, 2013, Special Municipal Election.

The motion carried with the following vote:

AYES: Lopez, Ballin, Gonzales, Fajardo, Avila – 5
NOES: None
ABSENT: None

Motion by Councilmember Gonzales, seconded by Mayor Pro Tem Ballin to adopt Resolution No. 7540 Authorizing the Execution of Agreements with the State Board of Equalization Regarding the Administration and Collection of a Temporary Half Cent Transactions and Use Tax.

The motion carried with the following vote:

AYES: Lopez, Ballin, Gonzales, Fajardo, Avila – 5
NOES: None
ABSENT: None

Motion by Mayor Lopez, seconded by Mayor Pro Tem Ballin, to waive the full reading of Ordinance No. 1626 and adopt by title only. By consensus, the motion carried.

Motion by Mayor Lopez, seconded by Mayor Pro Tem Ballin, to confirm and ratify adoption of Ordinance No. 1626 (second reading), titled: “An Ordinance of the City of San Fernando Enacting, Subject to Adoption by the Electorate, a Temporary Half Cent Transactions and Use Tax to be Administered by the State Board of Equalization Pursuant to Revenue and Taxation Code § 7251 Et Seq.”.

The motion carried with the following vote:

AYES: Lopez, Ballin, Gonzales, Fajardo, Avila – 5
NOES: None
ABSENT: None

CITY COUNCIL ITEMS

11) PROPOSED CHANGES TO THE CITY COUNCIL LIAISON ASSIGNMENTS

Motion by Mayor Lopez, seconded by Mayor Pro Tem Ballin, to appoint Mayor Lopez and Councilmember Gonzales (alternate) as liaisons to the MTA San Fernando Valley/Northern County Corridor. By consensus, the motion carried.

12) DISCUSSION REGARDING STANDING COMMITTEES

Councilmembers and staff discussed various issues regarding Standing Committees including: meetings that are scheduled and then cancelled (wasted staff time); the cumbersome process to add items to agendas (should be streamlined); Ad Hoc Committees could be created to address any items/issues and then agendized for a City Council Study Session; the need to focus on efficiency due to staffing shortages (cost savings); and the need to get City Commissions more involved with certain items.

Motion by Mayor Lopez, seconded by Councilmember Gonzales, to place Standing Committees on hold to future date. By consensus, the motion carried.

13) APPOINTMENT TO THE TRANSPORTATION AND SAFETY COMMISSION

Motion by Mayor Lopez, seconded by Mayor Pro Tem Ballin, to appoint Francisco Arrizon to the Transportation and Safety Commission. By consensus, the motion carried.

Mayor Lopez also stated that he would be making a recommendation at the next meeting to appoint an At-Large Member to the Tree Commission.

STANDING COMMITTEE UPDATES

No. 1 Budget, Personnel and Finance (BPF)

Councilmember Avila – Public Works Director Ruiz reported that the Education Commission had requested to agendize items for this Committee (Interim City Administrator Penman will follow up).

No. 2 Housing, Community & Economic Development and Parking (HCEP)

Councilmember Fajardo – no updates.

No. 3 Natural Resources, Infrastructure, Water, Energy and Waste Management (NRIW)

Councilmember Fajardo – reported that they met and talked about Item No. 9 on today's agenda.

No. 4 Public Safety, Veteran Affairs, Technology and Transportation (PVTT)

Councilmember Avila – no updates

No. 5 Education, Parks, Arts, Health and Aging (EPAH)

Councilmember Gonzales – no updates

GENERAL COUNCIL COMMENTS

Councilmember Avila reported that he has received positive compliments regarding the Police Department.

Mayor Pro Tem Ballin attended the memorial service for Gabriel Fernandez and asked that Police Department Officers be more diligent when they receive calls regarding abuse.

STAFF COMMUNICATION

Recreation and Community Services Operations Manager Ismael Aguila announced that Day Camp has begun and Recreation Swim will open on June 29, 2013.

RECESS TO CLOSED SESSION (7:45 p.m.)

Mayor Lopez asked for a moment of silence in memory of Gabriel Fernandez.

Motion by Mayor Lopez, seconded by Mayor Pro Tem Ballin, to recess to the following Closed Session, as announced by City Attorney Olivarez, thereafter to adjourn the meeting in memory of Gabriel Fernandez. By consensus, the motion carried.

A) CONFERENCE WITH LABOR NEGOTIATOR (G.C. 54957.6)

City Negotiator: Interim City Administrator Don Penman

Employee Organizations: San Fernando Management Group (SEIU, Local 721)
San Fernando Public Employees' Association (SEIU, Local 721)
San Fernando Police Officers Association
San Fernando Police Officers Association Police Management Unit
San Fernando Police Civilian Association (SEIU, Local 721)
San Fernando Part-time Employees' Bargaining Unit (SEIU, Local 721)

Interim City Administrator gave the City Council an update on the negotiations with the bargaining units listed on this item. The City Council gave direction to the Interim City

Administrator on various issues relating to the negotiations with the aforementioned bargaining units. The City Council did not take any final action on this item.

B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (G.C. 54956.9(c))

(Two potential cases)

The City Council received a briefing on both items from legal counsel but did not take any final action.

I do hereby certify that the foregoing is a true and correct copy of the minutes of June 17, 2013 meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk